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Rights of internally displaced persons

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, submitted in accordance with General Assembly resolution 70/165 and Human Rights Council resolution 32/11.

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Report of the Special Rapporteur on the human rights of internally displaced persons

Summary

The present report is the first of the current Special Rapporteur on the human rights of internally displaced persons to the General Assembly and provides a summary of the thematic priorities for her work. In the thematic section, the Special Rapporteur considers how national authorities and their national and international humanitarian, development and human rights partners can enhance the participation of internally displaced persons in decisions affecting them at all phases of internal displacement.

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I. Introduction

1. The present report is submitted to the General Assembly by the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, pursuant to General Assembly resolution 70/165.

2. Section II provides an overview of the thematic priorities of the Special Rapporteur. Section III considers the thematic subject of the participation of internally displaced persons and addresses measures and positive practices to enhance consultation and participation in practice in internal displacement situations. Section IV provides a series of conclusions and recommendations relevant to this thematic subject.

II. Activities and thematic priorities of the Special Rapporteur

3. In June 2017, the Special Rapporteur presented her first annual report (A/HRC/35/27) to the Human Rights Council, providing a review of her initial activities and an outline of her strategic priorities and working practices, as well as the thematic issues that will be the focus of her work until 2019. The report included a summary of the final activities of the former Special Rapporteur, Chaloka Beyani. Addendums to the annual report included the country visit reports of the former Special Rapporteur to Nigeria (A/HRC/35/27/Add.1), Georgia (A/HRC/35/27/Add.2) and Afghanistan (A/HRC/35/27/Add.3).

4. The Special Rapporteur emphasizes that 2018 marks the twentieth anniversary of the Guiding Principles on Internal Displacement, providing an important opportunity to raise awareness of this global standard and of the plight of internally displaced persons. She will undertake awareness-raising activities and consult with partners to identify activities to mark the anniversary at the national, regional and international levels, including a panel discussion organized in the context of her annual reporting to the thirty-eighth session of the Human Rights Council in June 2018.[1] The Special Rapporteur will encourage national-level activities and practical commitments in States affected by internal displacement, including steps to incorporate the Guiding Principles on Internal Displacement into national law and policy. In that regard, she welcomes the suggestions and proposals of States Members of the United Nations and all other stakeholders.

5. Internally displaced persons are frequently "the least, the last and the lost" in terms of national and international attention to their plight. It is a core priority of the Special Rapporteur to promote visibility and effective protection for all internally displaced persons, including those who have become invisible or neglected, the most vulnerable, and those facing the greatest challenges resulting from their displacement. She takes an impact-oriented and human rights-based approach to her work, focusing on building and strengthening constructive partnerships and collaborations with the objective of preventing internal displacement, delivering effective assistance and protection to internally displaced persons and promoting durable solutions for all internally displaced persons.

6. The Special Rapporteur urges the international community to ensure that it maintains much-needed attention on the situation of internally displaced persons, recognizing that many who have crossed international borders as refugees or undocumented or trafficked migrants were initially internally displaced persons in their own countries and were not provided with the necessary protection and support allowing them to remain in their own countries if they so wished. The Special

[1] See http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/35/L.7.

Rapporteur focuses her work on achieving the most important global objectives for the protection of internally displaced persons and giving the necessary attention to the most critical displacement situations and the most vulnerable groups or sectors. In addition, she highlights the following thematic priorities for her work, which are set out below.

Thematic priorities

A. Ensuring the inclusion of internally displaced persons in transitional justice processes

7. To achieve durable solutions for internally displaced persons, they must receive justice for the harm done to them, the violations of their human rights, and loss of life and property, through processes that go beyond their physical return, local integration or settlement elsewhere. In numerous internal displacement situations, however, internally displaced persons do not obtain justice or they achieve only partial redress or reparations for the human rights violations that they have suffered, including for loss of housing, land or property. Even where such mechanisms exist, traditionally, the range of serious civil and political rights violations addressed by transitional justice processes has been too narrow and has relatively neglected internally displaced persons. Recognizing the important work undertaken in this field, and with the objective of operationalizing existing resources and providing technical assistance for their implementation, the Special Rapporteur will collaborate with relevant States, United Nations bodies and other international organizations, non-governmental organizations and national human rights institutions to address this important area of concern.

B. Improving the protection of internally displaced children

8. The situation of internally displaced children, and their protection, remain a considerable concern in displacement situations worldwide. Evidence indicates that displaced children are facing neglect and human rights violations, including violence and forced recruitment. In too many displacement situations, children are suffering and dying owing to the failure of States to respond rapidly and appropriately to their specific needs and the lack of capacity and resources for humanitarian actors to fill the protection gaps. The challenges require renewed attention, with a focus on concrete outcomes. In the course of her work, the Special Rapporteur will promote the international normative framework for the protection of children, and the responsibility of States as well as other partners, to better protect internally displaced children and address their needs.

C. Enhancing the role of national human rights institutions in the protection of internally displaced persons

9. Human rights violations frequently precede or trigger displacement and also occur during or after displacement. Consequently, national human rights institutions have a critical role in the protection of internally displaced persons. Their roles include advocacy and awareness-raising, training for officials and others in international human rights and humanitarian law and standards, monitoring of the rights of internally displaced persons, registration of individual complaints and investigation of specific cases so that perpetrators are held accountable. The Special Rapporteur will strengthen engagement with national human rights institutions,

including with their regional networks to benefit from their experiences, practices and lessons learned relating to internal displacement. She will hold a consultative session with selected national human rights institutions during her tenure to further examine their existing and potential roles in the protection of the human rights of internally displaced persons.

D. Increasing the attention to neglected causes of internal displacement

10. The Special Rapporteur recognizes the mandate holder's responsibility to raise awareness of and support action to prevent or address neglected causes of displacement, as well as to raise awareness about internally displaced person populations that require greater visibility and attention. These causes include development projects and generalized violence and may also include complex and interlinked causes, such as the intersection among conflict, development and business interests. The number of people internally displaced by such factors may run into millions worldwide; yet, they do not feature in the annual displacement figures given that the latter commonly reflect only persons who have been internally displaced by conflict and disasters.

III. Enhancing the participation of internally displaced persons in decisions affecting them

A. Introduction

11. Ensuring that internally displaced persons are included at the outset in the design, planning and implementation of actions and decisions directed towards them must be at the heart of responses by national Governments, local authorities and all humanitarian, development and other relevant actors. However, interaction with internally displaced persons commonly reveals a lack of information provided to them at all phases of displacement; infrequent or unsustained engagement by responsible authorities; an absence of or inadequate mechanisms and processes for consultation and participation; and decision-making processes that are characterized by "top-down" approaches that fail to take their views, needs and objectives fully into account. This undermines the enjoyment of human rights by internally displaced persons and progress towards durable solutions that rest upon the fundamental principle that internally displaced persons have the right to be involved in decisions affecting them.

12. Lack of meaningful participation means that recovery efforts are more likely to fail, may not meet the expectations of internally displaced communities and possibly result in deeper and more persistent levels of poverty, resentment and injustice as they face challenges to re-establishing normal lives and livelihoods in circumstances that do not conform to their wishes or meet their needs. Without effective participation, national and local authorities will fail to understand the expectations of internally displaced persons and be unable to integrate them into their immediate and longer-term planning processes, thus reducing the prospects of success in achieving durable solutions. Effective participation is critical to understanding and responding appropriately to a wide range of protection concerns that arise during displacement.

13. In this thematic discussion, the Special Rapporteur seeks to consider essential elements of the participation of internally displaced persons, identify barriers to participation and propose measures to assist in overcoming them and promoting inclusive participation. She emphasizes that this is not a comprehensive

consideration of all aspects of the participation of internally displaced persons; rather, the aim is to contribute to necessary and ongoing discussions on the way forward, including in the context of the outcomes of the World Humanitarian Summit and the requirement for new ways of working that call for stronger connectivity among all stakeholders towards common outcomes to better address the needs and protect the rights of internally displaced persons. Promoting the participation of internally displaced persons in decisions affecting them will be an ongoing theme of the work of the Special Rapporteur.

14. The Special Rapporteur recognizes the excellent work that has been conducted by others in this field, including the Brookings Institution — University of Bern Project on Internal Displacement, in its 2008 publication "Moving beyond rhetoric: consultation and participation with populations displaced by conflict or natural disasters",[2] among other contributions. She fully acknowledges the positive practices employed by some States and national and international humanitarian and development actors. The present report also functions as an essential call for action to identify positive practices in engagement with internally displaced persons, recognizing that not only should solutions to internal displacement be sought, but that those solutions must be the ones that offer the best possible outcomes for internally displaced persons.

15. On 25 January 2017, the Special Rapporteur convened an expert discussion on ensuring the participation of internally displaced persons in order to further reflect on the issues and challenges, obtain the views of key United Nations and international non-governmental organization partners and consider positive practices that have been implemented. In addition, in December 2016, she sent a questionnaire to all States Members of the United Nations seeking their experiences, policies and practices, including relating to measures to ensure the participation of internally displaced persons. She sincerely thanks the Governments that responded.

16. The Special Rapporteur points out that the participation of internally displaced persons in some specific contexts, including transitional justice and peace processes and mechanisms and participation in the context of development-induced displacement, will be dealt with in greater detail in the context of specific thematic reports to be presented to the Human Rights Council or General Assembly.

B. Foundations for the participation of internally displaced persons

17. Internally displaced persons are entitled to full protection of all their human rights according to human rights treaties and other relevant commitments entered into by the State. Human rights-based approaches to the treatment of internally displaced persons are based on normative human rights standards directly relevant to their situations and circumstances. While the right of all citizens to take part in the conduct of public affairs, directly or through freely chosen representatives is articulated in article 25 of the International Covenant on Civil and Political Rights, access to information, meaningful consultation and participation in decisions affecting individuals and communities is commonly understood to underpin all the human rights established in international law. Internally displaced persons do not lose their right to participation because they have had to leave their homes; indeed, special measures are required to protect those rights while in displacement. Human rights are also held by non-citizens, who may also be internally displaced and are entitled to full protection of their rights while in displacement. The right of

[2] See https://www.brookings.edu/research/moving-beyond-rhetoric-consultation-and-participation-with-populations-displaced-by-conflict-or-natural-disasters/.

internally displaced persons to participate is underpinned by the right to life with dignity and the right to protection and security as set forth in international law.

18. The Guiding Principles on Internal Displacement, the key international standard for the protection of internally displaced persons, are based on and informed by international human rights and humanitarian law and include numerous requirements for consultation with and participation of internally displaced persons. They state that internally displaced persons have the right to request and to receive protection and humanitarian assistance from national authorities without discrimination. The Guiding Principles emphasize the importance of participation by internally displaced persons in all aspects of programmes and decision-making processes affecting them. Guiding Principle 4 emphasizes that they shall be applied without discrimination and that certain groups of internally displaced populations shall be entitled to protection and assistance required by their condition and to treatment that takes into account their special needs.

19. Under Guiding Principle 7 (3), if displacement occurs in situations other than during the emergency states of armed conflicts and disasters, the guarantees to be complied with include adequate measures to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation; the free and informed consent of those to be displaced; and the involvement of those affected, particularly women, in the planning and management of their relocation. Guiding Principle 18 (3) requires that special efforts be made to ensure the full participation of displaced women in the planning and distribution of basic supplies. Principle 22 relates to the right to participate in economic and community affairs, the right to vote and to take part in governmental and public affairs and the right to communicate in a language that internally displaced persons understand. Principle 23 (3) considers the right of internally displaced persons to education and the full and equal participation of women and girls in education programmes. Guiding Principle 28 stipulates that special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

20. The Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons[3] contains numerous requirements for the participation of internally displaced persons. They must be consulted and participate extensively in the planning and management of the processes supporting a durable solution. All parts of the internally displaced person population, including women, children (in accordance with their age and maturity), persons with special needs and persons who are potentially marginalized, must be fully included. Furthermore, "Processes to involve internally displaced persons should respect existing social structures, forms of organization and decision-making processes within internally displaced person communities", provided that they do not exclude some, including women, from being involved owing to cultural and social factors. Where internally displaced persons are in urban areas or dispersed, or have spontaneously sought a durable solution, they must be consulted about their continuing assistance or protection needs.

21. The Inter-Agency Standing Committee Framework proposes positive practices, for example, for representatives of internally displaced persons to visit and assess conditions for return or settlement elsewhere in the country. The visits should include opportunities for consultation with populations residing in these areas to identify issues that may create conflict. Ensuring the participation of women in consultations with internally displaced persons is emphasized, including

[3] http://www.unhcr.org/50f94cd49.pdf.

in the context of peace processes. The involvement of civil society in outreach efforts, discussions or facilitated dialogues between Government officials and communities is emphasized in that it may help to ensure broader participation of internally displaced persons and other affected populations. In addition, under the Framework, special efforts need to be made to consult internally displaced persons on legislative and policy proposals affecting their rights, interests and prospects to achieve a durable solution.

22. Additional international standards relating to participation include the United Nations Declaration on the Rights of Indigenous Peoples, and the Indigenous and Tribal Peoples Convention, 1989 (Convention No. 169) of the International Labour Organization (ILO), which considers indigenous peoples' rights concerning activities planned or undertaken on their lands and territories, including those that may lead to displacement. The Convention requires that indigenous and tribal peoples be consulted on issues that affect them and that they be able to engage in free and informed participation in policy and development processes in a way that is adapted to their cultures and characteristics. Equally, persons belonging to minorities are frequently the victims of displacement. The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities underscores the rights of minorities to participate effectively in decisions concerning the minority to which they belong or the regions in which they live,[4] which should equally apply to displaced minorities and those at risk of internal displacement.

23. Regional legally binding standards for the protection of internally displaced persons are currently limited to the African region. The principle of participation is clearly articulated in the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). Article 9 (2) (k) requires that States parties shall consult internally displaced persons and allow them to participate in decisions relating to their protection and assistance. Furthermore, article 11 (2) stipulates that States parties shall enable internally displaced persons to make a free and informed choice on whether to return, integrate locally or relocate by consulting them on these and other options and ensuring their participation in finding sustainable solutions.

24. To help to guide the work of humanitarian and development actors, the Inter-Agency Standing Committee committed to promoting accountability and participation and incorporated five commitments on accountability to affected populations into their policies and operational guidelines and to promoting them with operational partners, within humanitarian country teams and among cluster members. The commitments focus on key elements to effectively engage crisis-affected communities:[5] (a) Leadership/governance: to demonstrate commitment to accountability to affected populations by ensuring feedback and accountability mechanisms; (b) Transparency: to provide accessible and timely information to affected populations on organizational procedures, structures and processes that affect them; (c) Feedback and complaints: to actively seek the views of affected populations to improve policy and practice in programming, ensuring that feedback and complaints mechanisms are streamlined, appropriate and robust; (d) Participation: to enable affected populations to play an active role in the decision-making processes that affect them through the establishment of clear guidelines and practices; and (e) Design, monitoring and evaluation of the goals and objectives of programmes with the involvement of affected populations.

[4] http://www.ohchr.org/Documents/Publications/GuideMinoritiesDeclarationen.pdf.

[5] See https://interagencystandingcommittee.org/accountability-affected-people.

25. The Core Humanitarian Standard on Quality and Accountability[6] established in consultation with a range of humanitarian actors in 2014 as a core standard and code of practice sets out nine commitments that organizations involved in humanitarian response should use to improve the quality and effectiveness of the assistance they provide. It facilitates greater accountability to communities and people affected by crisis. The entire standard is underpinned by the principle of community engagement, and commitment No. 4 explicitly calls for communities and people affected by crisis to know their rights and entitlements, have access to information and participate in decisions that affect them.

26. The Office of the United Nations High Commissioner for Refugees (UNHCR) is among the humanitarian actors placing community engagement, participation and empowerment at the heart of their strategic vision. The UNHCR Strategic Direction 2017-2021[7] emphasizes involving all persons of concern in identifying and analysing their needs and the risks they face and in designing, implementing and evaluating operations. It commits to pursuing innovative ways to amplify the voices of people of concern and take advantage of new technologies to enhance dialogue with them. The Standing Committee of the Executive Committee of the High Commissioner's Programme (69th meeting, held on 7 June 2017)[8] emphasized that UNHCR applies community-based and participatory approaches across programme sectors and equipping its staff with the knowledge, skills and resources to better operationalize them, ensuring that all persons of concern were not just consulted, but meaningfully engaged in all decisions and actions affecting their lives. UNHCR has been utilizing participatory assessment in operations since 2006[9] and has created an online community of practice to exchange good practices[10] in community-based interventions. In addition, the International Organization for Migration (IOM) has flagged its commitment to delivering people-centred assistance to internally displaced persons, supporting their resilience and self-reliance as a way of upholding their dignity and fostering their empowerment and participation in the decisions that affect their lives.[11]

27. Ensuring participation at the national level requires the incorporation of international and regional law and standards into domestic law and policy. Some countries have adopted national laws and policy that explicitly include provisions relating to participation; the implementation of those provisions remains essential. Afghanistan's National Policy on Internally Displaced Persons incorporates provisions from the Guiding Principles and recognizes the need for institutional attention to the participation of internally displaced persons. Provincial internally displaced person task forces are required to ensure that mechanisms exist to consult internally displaced persons and to make provisions so that the voice of women, the elderly, youth and other special groups can be heard.[12] Kenya's Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act of 2012 contains extensive provisions for participation of displacement affected communities, including in respect of prevention of internal displacement.[13]

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[6] https://corehumanitarianstandard.org/files/files/Core%20Humanitarian%20Standard%20-%20English.pdf.

[7] http://www.unhcr.org/5894558d4.pdf.

[8] See http://www.unhcr.org/593917447.pdf.

[9] http://www.unhcr.org/publications/legal/450e963f2/unhcr-tool-participatory-assessment-operations.html.

[10] http://www.unhcrexchange.org/old/topics/15211/contents?PHPSESSID.

[11] See https://interagencystandingcommittee.org/system/files/iom_draft_internal_displacement_framework_consultation_2017.pdf.

[12] http://morr.gov.af/Content/files/National%20IDP%20Policy%20-%20FINAL%20-%20English(1).pdf.

[13] http://bcckenya.org/assets/documents/PrevProtAsstoInternDisPersAffComsAct56of2012.pdf.

C. Principles of participation

28. At the outset, a comprehensive understanding of what participation entails is necessary. According to the study "Moving Beyond Rhetoric", effective consultation and participation is characterized by several core elements: (a) clear goals and expectations among all parties; (b) a focus on results: effective participation happens when participants can actually influence the outcomes; (c) community involvement at every step of the process; (d) sufficient understanding of the social, cultural and political context and recognition of existing hierarchies by those organizing the consultations; (e) the involvement of all stakeholders who perceive themselves to be affected, including communities that host displaced persons; (f) the use of trained facilitators to carry out the consultations; and (g) effective coordination among agencies and communities.[14]

29. Different stages or levels of participation have been identified:[15] (a) passive participation or information-sharing in which affected persons are informed, but not heard (dissemination of documents or public briefings); (b) information transfer: affected persons supply information but do not make decisions or influence the process (often through field visits and interviews); (c) consultation, including focus group discussions and interviews: affected persons are asked to offer their opinions, suggestions and perspectives but are not involved in decision-making or the implementation of projects; (d) collaboration: the affected population is directly involved in needs analysis and project implementation and may contribute to agency-led projects with labour and other skills; (e) decision-making and control of resources: affected persons are involved in project assessment, planning, evaluation and decision-making (this may involve a working group or joint committee of agency and local leadership); (f) local initiative and control: the affected populations conceive and run projects, potentially with the support of agencies.

30. Participation processes must be meaningful and provide internally displaced persons with confidence that their views and expectations have been heard and will be acted upon or reflected in planning processes and decisions. However, it must be recognized and understood by internally displaced persons that it may not be possible to meet all of their expectations; managing expectations is therefore an important part of participatory processes. Consultation and participation that are evidently symbolic will diminish trust and have the potential to create frustration and possible tensions. The question of who participates is fundamental, and participation should be as inclusive as possible, including the most vulnerable or marginalized groups such as women, young people, older persons, persons with disabilities, minorities and others. Further consideration of inclusive participation is provided in section I below.

31. Steps must be taken to ensure that information and feedback flow up through every level of the system of displacement response and are given due attention at each and every level. A significant challenge is to ensure that the flow of information and views does not remain stuck at the lowest levels or become diluted, but are available and able to influence higher-level decision-making processes that are frequently distant physically, socially or politically from the situation of internally displaced persons on the ground. Participatory methodologies should allow local voices, either directly or through credible intermediaries, access to all appropriate levels of decision-making. This may include identifying opportunities for internally displaced persons themselves to engage meaningfully with the cluster system and other crisis response decision-making mechanisms.

[14] file:///D:/downloads/10-internal-displacement%20(3).pdf.
[15] Ibid.

32. Effective participation planning allows displacement-affected communities, including host communities, to engage authorities and their humanitarian and development partners and provide them with vital local knowledge and perspectives, which in turn allows them to better understand local capacities and make more informed decisions and to more effectively build on positive local coping strategies and capacities. As stated by UNHCR, "Accountability is strengthened by building relationships within communities, maintaining effective feedback mechanisms and ensuring that the priorities and views of the communities concerned directly inform planning and programming."[16] While the benefits of participation and community engagement are often recognized, the application of positive participatory theory and methodology frequently remains poor in practice.

D. Participation as a key component of new approaches to internal displacement responses

33. A new focus on participation will be instrumental in helping to deliver on the promise of new approaches to humanitarian action that was made at the World Humanitarian Summit. Indeed, participatory approaches are now considered essential prerequisites that form a fundamental element of effective responses. The right of internally displaced persons to participate in decisions affecting them, to be consulted and provided with adequate information has therefore been given higher priority from the outset of displacement. At the Summit, a clear call was made for the empowerment of local, crisis-affected communities and the implementation of community-based approaches.

34. In his report for the World Humanitarian Summit, the Secretary-General stated "People are the central agents of their lives and are the first and last responders to any crisis. Any effort to reduce the vulnerability of people and strengthen their resilience must begin at the local level, with national and international efforts building on local expertise, leadership and capacities. Affected people must be consistently engaged and involved in decision-making, ensuring participation by women at all levels. Legitimate representatives of communities should be systematically placed at the leadership level in every context. People must also be able to influence decisions about how their needs are met and rely upon all actors to deliver predictably and transparently."[17]

35. In setting an ambitious target of reducing internal displacement by at least 50 per cent in a dignified and safe manner by 2030, the Summit emphasized that Governments have primary responsibility to address internal displacement, support durable solutions and adopt inclusive policies to better integrate displaced people into society and social safety nets. Emphasis was placed on localization of programmes and funding that addresses internally displaced persons and host communities and the need for them to be actively involved in the design and implementation of those outcomes. The proposed "New Way of Working" stressed the need for diverse actors to work towards collective outcomes and that those efforts should reinforce and strengthen the capacities that already exist at national and local levels.[18]

36. New approaches to internal displacement emphasize the benefits of closing the humanitarian-development gap and ensuring that development partners are engaged at the earliest stages of internal displacement situations and throughout the process of assistance, recovery and achieving durable solutions. Development partners have

[16] See http://www.unhcr.org/593917447.pdf.
[17] A/70/709, para. 114.
[18] See https://www.unocha.org/sites/unocha/files/NWOW%20Booklet%20low%20res.002_0.pdf.

a long history of employing participatory methodologies and should play a much more important role in the context of internal displacement situations with short-term as well as longer-term benefits. Development partners are well-equipped with resources and resilience-building strategies, beyond those commonly used by humanitarian actors, that can be employed in partnership with internally displaced persons. The World Bank emphasizes that forced displacement constitutes a development challenge that must be addressed through development approaches with humanitarian and development actors working in complementary roles and with community engagement as a key component.[19]

37. The Livelihoods and Early Recovery programme of the United Nations Development Programme (UNDP) for the Syrian Arab Republic demonstrates the potential to build the resilience of displacement-affected communities to stabilize livelihoods and strengthen capacities to cope with the impacts of crisis. Mapping and analysis by stakeholders were used to understand the socioeconomic dynamics in target governorates and ensure the inclusiveness of affected groups in the local response plans. Response plans were translated into area-based interventions by field teams in collaboration with local stakeholders, including non-governmental organizations, faith-based organizations and local technical directorates, in addition to representatives of internally displaced persons and host communities, which ensured that interventions were demand-driven and locally owned.[20] In 2015, UNDP reported strengthening the resilience of 2,193,451 affected people, reducing their reliance on humanitarian assistance through more than 100 recovery and livelihood interventions.

38. The results of active participation are seen in better informed decision-making processes. Another goal is to empower individuals and communities through interactive participation and self-mobilization. Enhancing community participation and employing interactive methodologies can be a vital component of efforts to promote community-based recovery and resilience-building. Meaningful and effective participation enables displaced communities to express their needs and expectations, but also to communicate their capacity, skills and potential for recovery. As emphasized by UNHCR, community-based protection approaches are critical, building upon the resources and capacities of displaced and host communities and empowering them to be more resilient.

39. At the World Humanitarian Summit, it was emphasized that the participation of internally displaced persons was enhanced by the presence and engagement of local civil society organizations. They commonly employ local community members or internally displaced persons who speak local languages and have existing community connections. They understand the situations, needs and desires of internally displaced persons and are well versed in cultural, social, historical and political factors. Such local partners may be highly effective in promoting the participation of internally displaced persons and can create a bridge between affected communities and national and international partners. The Kampala Convention explicitly recognizes the important role played by civil society organizations representing and supporting internally displaced persons and accords them considerable attention within its provisions.

40. Participatory processes require long-term support and funding to sustain them and involve considerable preparation and ground work. Planning for participation should be systematically included in humanitarian response plans and development programming. However, it can be difficult to obtain or justify funding for

[19] See World Bank Group, *Forcibly Displaced: Toward a Development Approach Supporting Refugees, the Internally Displaced and Their Hosts* (Washington, D.C., 2017).

[20] file:///D:/downloads/UNDP-Syria-Annual-Report-2015-Web-LR.pdf.

participatory processes when the focus is on the delivery of critical humanitarian assistance or other operational priorities. Consequently, donors and humanitarian and development partners should ensure adequate and long-term funding to implement projects and programmes designed to include participatory methodologies from the outset. This would help to ensure that participation is sustained through all phases of the displacement experience up to and including the implementation of durable solutions.

41. Meaningful participation demands a flexibility of response that is not always evident. Participatory processes may result in responses and expectations that do not fit easily with existing humanitarian or donor priorities, for example, requests by internally displaced persons for cash transfers rather than the delivery of specific food or non-food items or emphasis placed by internally displaced persons on early recovery and resilience-building assistance, while this sector is frequently poorly resourced. Recognizing this, the "Grand Bargain: A Shared Commitment to Better Serve People" offers a valuable new approach to humanitarian funding that is consistent with participatory approaches, in its commitments to gearing up cash programming, greater funding for national and local responders, along with more unearmarked money, and increased multi-year funding to ensure greater predictability and continuity in humanitarian response.

42. The Grand Bargain calls for a "participation revolution" to include people receiving aid in making the decisions that affect their lives and states that "we need to provide accessible information, ensure that an effective process for participation and feedback is in place and that design and management decisions are responsive to the views of affected communities and people".[21] The agreement invokes the Core Humanitarian Standard and the Inter-Agency Standing Committee Commitments to Accountability to Affected Populations in seeking to ensure that the voices of the most vulnerable groups are heard and acted upon and that programmes can change as a result of community feedback.

E. Essential elements to enhance participation for internally displaced persons

43. There are numerous barriers to the full and meaningful participation of internally displaced persons that must be identified and overcome, first and foremost, by national authorities. Such barriers may be based on lack of funds, resources or available capacity or lack of experience in responding to internal displacement. A lack of appropriate response structures, bodies and mechanisms and trained staff to implement participation measures may also lead to lack of attention to participation. Humanitarian actors may face similar resource and capacity constraints as well as barriers related to the scope of their mandates and operational priorities. Good governance of internal displacement seeks to address these challenges based on the development of legal, policy and institutional frameworks that form a strong foundation for effective and inclusive responses.

44. In his 2015 report (A/70/334), the former Special Rapporteur considered governance structures and institutional arrangements for preventing and managing responses to internal displacement. He placed a strong emphasis on the participation of internally displaced persons, emphasizing that their voices must be heard and that they must be consulted on any decision affecting them and that consultative bodies and processes should be established as part of displacement governance (ibid., para. 37). In his 2016 report to the General Assembly (A/71/279), he further

[21] http://reliefweb.int/sites/reliefweb.int/files/resources/Grand_Bargain_final_22_May_FINAL-2.pdf.

highlighted the value of strategic national action plans, based on legal, policy and institutional frameworks, to respond to and resolve displacement, with clear time frames and participation, monitoring and evaluation mechanisms in place. Such action plans offer a valuable framework under which participatory processes could be incorporated.

45. However, in practice, work in the field of participation of internally displaced persons often falls mainly to national and international non-governmental organizations and United Nations agencies. National authorities sometimes play a minimal role in such activities, which diminishes their ownership of and commitment to participatory processes and their outcomes and, ultimately, the implementation of activities and solutions. Governments should play leadership roles in participation initiatives to ensure their sustainability until durable solutions are achieved.

46. Effective participation requires bottom-up community-based approaches rather than the top-down approaches that are frequently employed when managing displacement situations. This requires full engagement with affected communities, recognizing their rights and dignity, and is well captured in the phrase "nothing about us, without us". To quote a traditional Yoruba, Nigeria saying: One does not shave a head in the absence of the owner. Internally displaced persons should not only be beneficiaries, but active agents in shaping solutions that are implemented both for them and with them from the outset. A human rights-based approach is valuable to shifting the discourse about and adapting the engagement with internally displaced persons towards constructive partnership with them as human rights bearers who should be agents of change with the capacity and resilience to contribute to their own recovery.

47. The activities of authorities or national and international partners must be aimed at strengthening and not undermining community-based coping strategies, which rely on a comprehensive understanding of them through community-based protection approaches. Internally displaced persons are the "experts" on their own situations, and interventions should build upon their demonstrated capacity and resilience. As the International Committee of the Red Cross (ICRC) emphasizes, even before humanitarian assistance arrives, internally displaced persons make life-saving decisions, organize themselves based on local knowledge, find safe routes and destinations, continually monitor their options and surroundings and sustain themselves, and often negotiate with armed actors. While in displacement, they develop coping strategies and adapt to changing circumstances.[22]

48. Participation must begin as early as possible and take place at all phases, prior to displacement where possible, during displacement and in the context of durable solutions and their monitoring. Participation should not end until durable solutions are implemented and proved to be sustainable. It must be results-oriented, ensuring that the views, issues and concerns of internally displaced persons are reflected in decision-making processes. Different priorities during displacement phases may require the use of different methodologies. A key objective of participatory process at all phases should be to reduce and overcome vulnerability.

49. Consultation with and participation by displaced communities are valuable in a wide range of programmes and initiatives, including during humanitarian emergency phases. Incorporating interactive participatory methodologies at the earliest stage is essential for such issues as beneficiary identification, protection assessment and action, and camp management, including camp creation and siting.[23] Participation in the provision of basic needs, including food, shelter and water and

[22] See Angela Cotroneo and Marta Pawlak, "Community-based protection: the ICRC approach".
[23] file:///D:/downloads/10-internal-displacement%20(3).pdf.

sanitation helps to ensure that immediate and short-term responses are appropriate to the needs of internally displaced persons including, for example, the provision of culturally appropriate foodstuffs and shelters. Participatory processes help to reveal critical protection concerns, allowing for rapid and life-saving responses.

50. In the initial emergency phases, participation may necessarily fall more into the information provision and consultation categories as other priorities and life-saving interventions take precedent. However, as the internal displacement moves into the recovery and resilience-building phases and becomes more protracted or moves towards discussion of durable solutions, participation should evolve and adapt rapidly to become more functional and interactive and with an emphasis that shifts towards decision-making, empowerment and local initiatives involving internally displaced persons.

51. Participation must extend throughout processes to achieve durable solutions. Under the leadership of the Special Rapporteur, the Informing Responses to Support Durable Solutions for Internally Displaced Persons project[24] coordinated by the Joint IDP Profiling Service is aimed at assisting in operationalizing the Inter-Agency Standing Committee Framework on Durable Solutions. It seeks to develop indicators, tools, methodologies and guidance for comprehensive yet practical approaches to durable solutions analysis and monitoring progress in displacement situations. Focus areas include ensuring that the voices of internally displaced persons are heard in planning for durable solutions through emphasis on community participation.

52. Participation should not be cumbersome, difficult or entail risk or expense for displacement-affected communities. It should take place in the internally displaced persons' preferred locations and according to their preferred time frames, for example, in the context of community meetings, social and other service delivery, feeding centres, skills training and income-generating programmes and other environments in which internally displaced persons gather. In urban areas where internally displaced persons have spontaneously relocated, and for internally displaced persons seeking safety in private houses, special efforts will be needed to ensure that they receive notice of consultations and gain access to information.

53. Participation in conflict and other insecure environments poses particular challenges and risks, which must be addressed in any methodology employed, recalling the principle of "do no harm". The participation of conflict-affected persons and those who have suffered human rights violations may expose them to greater risk, for example, if carried out in public settings. In some high-risk settings, special protection measures should be taken to ensure confidentiality and access to safe spaces and protection measures. Equally, in post-conflict and post-violence settings, internally displaced persons must have the opportunity to participate in peacebuilding dialogues and should be actively included in the assessment processes that inform peacebuilding and post-conflict development efforts.[25]

54. ICRC has developed a methodology for understanding and supporting community self-protection mechanisms and positive coping strategies for use with communities affected by armed conflict or violence. Community-based protection allows for open and secure dialogue with communities. Within the framework of workshops facilitated by ICRC staff, select members of a community identify their priority concerns; discuss the causes and consequences of those problems; and make concrete suggestions for addressing them, reinforcing positive coping strategies and

[24] http://www.jips.org/en/profiling/durable-solutions.

[25] See https://www.brookings.edu/wp-content/uploads/2013/11/Report-of-UNGA-event-on-durable-solutions-October-25-2013.pdf.

avoiding harmful ones. ICRC evaluates suggestions and conducts feasibility assessments if necessary. Activities that could be implemented are then discussed with the community, which is thus involved in the design and implementation of selected activities.

55. The role of national human rights institutions in initiating, encouraging and supporting participatory processes is valuable. Human rights issues and violations are commonly encountered by internally displaced persons at all stages of displacement. Consequently, national human rights institutions should take active steps to engage, represent and reflect the human rights concerns of internally displaced persons with national authorities and to promote policies and programmes that include participatory processes. Especially in situations where trust between internally displaced person populations and authorities has diminished, they may be trusted intermediaries, who are independent of authorities. National human rights institutions can play coordination, facilitation and mediation roles and help to ensure a systematic implementation of participation processes, including organization of meetings, identification of representatives, recording and reporting outcomes, and providing recommendations. Complaint mechanisms established by national human rights institutions offer opportunities for internally displaced persons to bring cases or complaints that can influence decision-making. Free legal aid can assist internally displaced persons in claiming their rights and accessing legal channels of redress. Human rights monitoring conducted by national human rights institutions would necessarily include an assessment of the degree and nature of participation of internally displaced persons in decision-making that involves their rights.

56. During his official visit to Nigeria, the former Special Rapporteur was informed that the National Human Rights Commission was working with internally displaced persons in regions affected by the Boko Haram insurgency in a number of roles. As part of a protection sector working group, it had conducted protection monitoring aimed at identifying and strengthening community-based protection mechanisms and building a picture of protection concerns through community dialogue. The Commission had established an inter-agency task team to ensure voluntary and safe returns and was undertaking assessment visits. Equally, the Commission on Human Rights of the Philippines has developed and started to utilize an internally displaced person monitoring tool for its regional offices, with the participation of internally displaced person; such tools provide a systematic way of assessing the human rights of internally displaced persons in different situations for purposes of determining concrete interventions and desired outcomes.

The role and value of data in participatory approaches

57. Data are vital to informing responses and an essential component of decision-making processes, providing an essential evidence base. A major challenge to ensuring the participation of internally displaced persons is to accurately map, record and monitor their numbers and locations and to track their movements, which is essential to remaining in contact with them. The "invisibility" and consequent lack of access to and contact with many internally displaced persons, including those out of camps, must be addressed as part of a process of ensuring full participation, and various mechanisms and methodologies can be employed to meet the challenge. While data are not a substitute for the full, active participation of internally displaced persons, they are nevertheless an essential element of participatory processes, reinforcing and validating the views expressed by internally displaced persons through quantitative and qualitative data methods.

58. Reflecting the views, needs and desires of internally displaced persons through credible data and analysis is crucial to ensure that their perspectives are adequately

taken into account. Profiling[26] is increasingly recognized as a vital tool for decision-making in displacement contexts. Through participatory approaches, it allows for the active engagement of internally displaced person communities in the process of creating an evidence base on their situation, taking into account gender, age and other diversity factors. In addition, profiling also includes an analysis of the priorities of internally displaced persons for durable solutions and obstacles to attaining them. The Joint IDP Profiling Service, working with States, humanitarian and development partners, has demonstrated the value of increased levels and sophistication of profiling of displacement situations and evidence-based decision-making.

59. IOM operates its Displacement Tracking Matrix, which is a system to track and monitor displacement and population mobility. It is designed to regularly and systematically capture, process and disseminate information to provide a better understanding of the movements and evolving needs of displaced populations, whether on site or on route. Equally, the REACH project, a joint initiative of two international non-governmental organizations, namely, ACTED and IMPACT, and the United Nations Institute for Training and Research Operational Satellite Applications Programme (UNOSAT), is aimed at strengthening evidence-based decision-making by aid actors through efficient data collection, management and analysis before, during and after an emergency.

60. Social surveys, assessments of needs and intentions and other forms of data-gathering and analysis can be extremely valuable additional tools allowing many members of internally displaced person communities to voluntarily and confidentially contribute to participatory processes. Surveys of intent have increasingly been employed as methodologies to understand the movement and location wishes of internally displaced persons among a range of other key information and help to make better provision to accommodate those wishes.

61. IOM has conducted return intention surveys targeting internally displaced persons in locations including, in October 2016, in Maiduguri, the capital of Nigeria's north-eastern state of Borno affected by the Boko Haram insurgency.[27] Surveys revealed the intentions of internally displaced persons and what influences their decisions, such as improved security, the need for a better economic situation and livelihood opportunities when they return, and food security and provision of housing. The survey and additional dialogues conducted by UNHCR revealed that security was the overwhelming factor influencing returns, while many considered that one of the most important elements of assistance to enable them to return was financial aid. Such data allow for well-informed strategic planning for returns or local integration and longer-term assistance that matches internally displaced persons' own visions. This excellent IOM practice enables decision-making based on internally displaced persons' own intentions, in accordance with its new Internally Displaced Person Policy Framework.

F. Participation for the prevention of displacement

62. The World Humanitarian Summit placed emphasis on preventing new displacement. Participatory mechanisms and processes should play a greater role in

[26] In this context, profiling exercises are completely non-discriminatory and collect all kinds of data disaggregated by sex, age, location and diversity. These data become the evidence base for decision-making, securing funds and designing policies that ensure sustainable solutions for displaced people.

[27] https://nigeria.iom.int/sites/default/files/dtm/IOM%20Nigeria%20Return%20Intention%20Survey%202016Final.pdf.

prevention of displacement, disaster risk reduction and displacement mitigation planning and measures, particularly in countries that have experienced regular disaster-induced displacement or a history of conflict or violence-induced displacement. Good governance includes planning for displacement events and early engagement with potential displacement-affected communities to build awareness of risk; consider opportunities to mitigate displacement through local-level projects, for example to strengthen housing or flood defences; engage in disaster preparedness programmes; and identify community preferences where displacement may be likely. Early engagement with communities helps to build confidence, understanding and trust in authorities.

63. To date, such participatory planning for future displacement and investment in early warning and early action remains rare. Such action requires the establishment and, in some disaster-prone regions, the continuous functioning of policy and institutional frameworks to conduct outreach and participatory processes to address the prevailing risk of natural disaster-induced displacement before disaster strikes and displacement occurs. Poor practice in managing risk that fails to fully engage communities may include community relocation programmes to move communities from areas prone to natural disaster that fail to consult fully with affected communities and take into account all their concerns, including relating to land, property and livelihoods.

64. Internal displacement owing to development projects requires information, consultation and participation well in advance of actual displacement. The 2007 Basic Principles and Guidelines on Development-based Evictions and Displacement[28] provide guidance in addressing the human rights implications of development-linked displacement, to ensure that those at risk of displacement are protected in conformity with international laws and standards. For indigenous peoples, whose relationship with their land and territories is particularly strong, the principle of free, prior and informed consent, as established in ILO Convention No. 169, is essential. The Guiding Principles and the Kampala Convention emphasize that States should prevent displacement as a result of projects carried out by public or private actors to the extent possible and stipulates that States parties shall ensure that feasible alternatives are explored, with full information and consultation of persons affected. Standards developed by international funding agencies, such as the World Bank OP 4.12 on Involuntary Resettlement,[29] while referring to the consultation of those affected by World Bank-funded projects, will need to be more effectively monitored and implemented to include genuine participation by internally displaced persons.

G. The role of participation in resolving situations of protracted displacement

65. In situations of protracted displacement, engagement by national authorities and national and international partners with affected communities can diminish over time or cease altogether as attention and resources wane. Engagement may remain but become dominated by a particular preference on the part of the authorities, such as the return of internally displaced persons to places of origin or a disputed territory even when community preferences are for other options or the reality does not allow for return. It is essential to maintain consultation with and participation of internally displaced persons as part of a process aimed at resolving entrenched displacement situations and finding viable durable solutions that conform to the

[28] See www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf.

[29] https://policies.worldbank.org/sites/ppf3/PPFDocuments/090224b0822f89db.pdf.

preferences of internally displaced persons. Indeed, enhanced participation is essential to unlocking protracted displacement situations and finding necessary solutions that help to move internally displaced persons out of a cycle of dependency.

66. Over time, the preferences of individuals in protracted displacement may change, depending on numerous factors. Views expressed soon after displacement may no longer remain valid as internally displaced persons establish economic, social and other ties away from their places of origin. Living conditions may deteriorate and humanitarian assistance decline, resulting in challenges to coping mechanisms. Participation must therefore be regular and long-term, allowing for evolving views and circumstances to be reflected. Participation mechanisms must necessarily adapt and expand to address not only preferences for location, shelter and essential services, but to also consider preferences and capacities for new livelihood options, resilience-building initiatives and training in new skills or activities.

67. The report commissioned by the Office for the Coordination of Humanitarian Affairs of the Secretariat entitled "Breaking the impasse: Reducing protracted internal displacement as a collective outcome",[30] highlights that the ever-growing global number of internally displaced persons in protracted displacement underscores that humanitarian action alone is not enough. Reversing this trend requires strong political will and leadership by Governments of affected countries; concerted efforts by humanitarian, development and, depending on the circumstances, human rights, peace and security or disaster risk reduction actors; and participation by internally displaced persons and local communities. The Special Rapporteur endorses the recommendations in the report, including to ensure the provision of information, consultation with and the participation of displacement-affected communities on all matters affecting them.

68. To resolve protracted internal displacement and move from aid dependency, shifting the focus from humanitarian approaches to include development approaches is essential. Participatory processes and activities must recognize and clearly adapt to new development and long-term priorities and outcomes that are focused on achieving durable solutions. National authorities should ensure that protracted internally displaced populations are included fully and able to participate actively both in dedicated participatory processes, and in national level development activities and processes, including those in the context of the 2030 Agenda for Sustainable Development and national and local level plans to meet obligations to achieve the Sustainable Development Goals.

H. Ensuring the participation of internally displaced persons outside camps

69. While the participation of internally displaced persons in camp or other collective settings presents considerable challenges, reaching and ensuring the participation of those outside of camps and dispersed within host communities remains a significantly greater problem, notably in terms of access to affected persons. Internally displaced persons outside camps in cities or informal settlements often become "invisible" and difficult to reach, especially within poor urban areas, and are routinely overlooked by national programmes for assistance and sustainable development. It is nevertheless important to ensure that their rights are protected and every effort must be made to identify them, and to facilitate their participation.

[30] https://www.unocha.org/sites/unocha/files/Breaking-the-impasse.pdf.

70. Alternative research, data-gathering and outreach methodologies are necessary to enable individuals to reflect their views outside of formal participatory meetings and processes. Such methodologies may include the deployment of trained liaison teams and social workers who are available either in camp or settlement locations or within host communities in which internally displaced persons are located. Telephone and other communications and social media technology have provided important information for humanitarian actors, including on the situation of those in urban areas, difficult-to-reach locations, and areas under the control of non-government armed groups and provide additional avenues for engagement with internally displaced persons.

71. Telephone hotlines have been employed in different displacement settings to provide a means of communicating with and receiving information from internally displaced persons outside of camps. Such hotlines may be used as a means of gathering information from difficult-to-access individuals and communities, including those who may not be part of participatory processes (such as women in some contexts) and also can provide a confidential means of communicating issues or protection concerns. They offer an essential means of information provision, allowing users to engage relevant actors and services, be included in planning and potentially provide inputs into decision-making.

72. The use of mass media or media campaigns may be the most effective way to reach many spontaneously settled individuals. The wider use of information communications technology has been proposed, particularly for those displaced in urban areas where Internet access may be more widely available, including by the International Rescue Committee in its report "Using ICT to facilitate access to information and accountability to affected populations in urban areas".[31]

73. UNHCR used mass information activities for internally displaced persons in the Kurdistan region of Iraq, undertaken by implementing partners, to promote two-way communication with communities in which affected persons voice their needs, concerns and feedback. In Ukraine, UNHCR used hotlines operated by partners as a mechanism for individual and community complaints and referrals, as a part of its commitment to accountability to affected populations. In Ukraine, ICRC established a telephone hotline to receive feedback and complaints on its cash assistance programme for internally displaced persons. Key metrics on the reasons for calls are recorded and systematically analysed and used to adapt programming. In Nigeria, ICRC is setting up telephone hotlines to receive feedback and complaints and systematically reaches out to internally displaced persons in hard-to-reach areas to ensure that they have received the assistance intended for them.

74. Host communities are deeply affected by displacement and are essential support providers for the majority of internally displaced persons. However, they are usually less visible and tend to be neglected by humanitarians. They often have limited resources and coping mechanisms themselves and are significantly strained by the arrival of internally displaced persons, which can enhance their poverty and cause frustrations, resentment and tensions. Assessing and responding to the needs of host communities and developing programmes to ensure their consultation and participation are key to preventing protection issues and tensions from arising.

[31] https://www.rescue.org/report/using-ict-facilitate-access-information-and-accountability-affected-populations-urban-areas.

I. Integrating gender, age, disability and diversity approaches into participatory processes

75. The issues of internally displaced persons are frequently framed in terms of communities, populations and affected groups. However, human rights are individual rights, while they are often exercised collectively, and each individual may experience displacement differently and have different protection concerns owing to factors including their gender, identity or age. It is the right of each person to achieve a solution that meets their specific needs. In cases where violence has been perpetrated, for example, including sexual violence against women, it is the right of individuals to reject a solution that would require their return to the area where they experienced trauma, violence or the killing of loved ones.

76. Achieving solutions that meet the needs and fulfil the rights of individual internally displaced persons demands a level of consultation and participation at the individual and family levels that is frequently not achieved in practice. This is challenging but particularly appropriate in conflict displacement scenarios or where generalized or targeted violence has led to displacement. While the return of a whole community may be the desired solution of authorities, it is dangerous to assume that it is the desired solution for all internally displaced persons, and that would potentially constitute a violation of human rights.

77. The experiences of internally displaced women and their views and priorities may differ considerably from those of men. Cultural and other barriers may create challenges to consulting with and ensuring the participation of women. Women may not be provided with information made available to male leaders and thus be disadvantaged. Nevertheless, it is incumbent upon national authorities and other stakeholders to respect the human right of women to participate and to take measures to ensure that their views are heard and respected, while being respectful of social and cultural norms.

78. Direct consultation with women reveals protection challenges and has significant implications for such issues as camp management and the need for specific protection measures. Equally, measures to ensure that women are able to join alongside men, or in place of men, in participatory processes have a broader empowerment role for women, allowing them to take on leadership roles. The report of the Secretary-General for the World Humanitarian Summit states: "Unquestionable evidence proves that meaningful participation by women increases the effectiveness of humanitarian assistance ... Women's groups and women's participation have had and continue to have significant positive impacts on peace processes, combating gender-based violence and delivering services for communities."[32]

79. Where men are the primary decision-makers, this may lead to failure to address risks faced by women such as sexual violence, exploitation or coercion, including in connection with the distribution of essential humanitarian aid. Where women can raise their concerns safely, this leads to important changes in camp management, such as distribution of food and non-food items by women to reduce such risks. A challenge remains with respect to ensuring that women's voices and concerns result in both immediate change and protection measures and that they are also reflected in broader decision-making processes, including those relating to longer-term return, integration or settlement elsewhere. Moreover, genuine participation of women may entail providing conditions where they go beyond traditionally imposed social roles.

[32] A/70/709, paras. 44 and 94.

80. Those belonging to other vulnerable groups within internally displaced person populations face unique challenges and may be sidelined in participation processes. Special measures are required to ensure that older persons and persons with disabilities, for example, can participate and that their voices, needs and opinions are taken into account in decisions affecting them. Older persons may have stronger bonds to their places of origin and the solutions that they favour may differ from those of younger community members who may take on leadership and community representation roles. Equally, the opposite may be the case and young people must be able to participate and share their views. Where persons with disabilities have been able to participate, they have raised concerns, including their challenges in queuing for food and obtaining required assistance that has led to special provisions for them.

81. National authorities must operate according to the right to non-discrimination, including in terms of provision of assistance and with respect to participatory processes. This requires ensuring that all are able to participate equally, including those belonging to minorities, who are disproportionately the victims of conflict and internal displacement and may be highly marginalized. Studies have demonstrated discrimination against minority or indigenous communities in humanitarian and development assistance, based on their identity.[33] National authorities and humanitarian and development partners often employ those who belong to majority communities. Care must be taken to ensure that discriminatory practices within society in general are not replicated in displacement responses resulting in the exclusion of some from participatory processes or assistance.

IV. Conclusions and recommendations

82. A participation "revolution" is required to ensure that the right of internally displaced persons to participate in decisions affecting them is not only guaranteed in theory, but upheld in practice and given higher priority as part of national human rights and good governance obligations. Internally displaced persons commonly report infrequent or unsustained engagement with authorities, top-down, "we-know-best" standardized approaches, inconsistent and inadequate provision of information and failure to hear or reflect their views in decision-making processes. While there are, inevitably, significant challenges to ensuring meaningful participation, this results in communities being left angry and frustrated, uncertain about their futures, distrustful of authorities and facing responses and solutions imposed on them that do not meet their wishes, expectations or needs.

83. Participation empowers internally displaced person communities, informs them of their rights and can be instrumental to community recovery when it is meaningful and results-oriented. It returns essential dignity to communities, allowing them to be partners in their own recovery and solutions rather than only beneficiaries and not to rely on mere "resiliency" in adapting to their situations. Effective participation is critical to understanding and resolving protection concerns. Lack of meaningful participation diminishes the possibility of achieving durable solutions. Consequently, establishing participation as a key aspect of internal displacement responses must become a new norm, rigorously applied through the establishment of clear and effective mechanisms, secure funding and processes tailored to displacement situations.

[33] See the 2016 report of the Special Rapporteur on minority issues to the Human Rights Council (A/HRC/31/56).

84. National authorities must more fully engage in and support participatory processes in leadership roles from the outset and throughout. While non-governmental organization and international actors should remain essential partners in their implementation, facilitating the participation of internally displaced persons must be understood as an obligation of Governments and not only an activity of civil society and humanitarian and development partners. Improving participation and ensuring that it is meaningful and that outcomes are applied to decision-making processes are effective means of improving the accountability of Governments towards internally displaced persons and essential components of good governance. Citizenship is often an important principle here insofar as the majority of internally displaced persons are concerned with the exercise of their right to political participation.

85. Participation must take place at all phases of displacement and, where possible, prior to displacement. Millions of internally displaced persons globally are in protracted displacement, and participation and community engagement can help to "unlock" such situations. Consequently, participation processes and mechanisms must be sustained until durable solutions are achieved. Equally, ensuring that internally displaced persons who are outside of camps are reached with information and able to communicate their issues, situations and concerns and participate in solutions for them remains an enduring challenge that must be effectively addressed. In that regard, the participation of internally displaced persons must go hand in hand with that of host communities, especially in effective development approaches.

Recommendations

86. The Special Rapporteur recommends that States and other national stakeholders:

(a) Ensure that consultation and participation are included and given a high priority in national legislation and policy relating to internally displaced persons, in conformity with international law and standards;

(b) Establish clear programmatic and operational methodologies for the participation of internally displaced persons, based on effective practices, that provide clarity, establish time frames, ensure regular provision of information and outline the criteria and objectives of participatory processes;

(c) Identify a Government agency/entity mandated to lead and coordinate participation activities in cooperation with other national and local authorities, international entities and internally displaced persons;

(d) Ensure necessary support and funding for inclusive participatory processes and the recruitment, training and deployment of staff to support participation;

(e) Ensure that participatory processes include women, young people, persons with disabilities, minorities and others who may face exclusion or discrimination on the basis of identity, cultural, social, historical, political or other grounds;

(f) Incorporate into participatory processes traditional, customary and community-based organization and dialogue structures and practices, while ensuring that they do not reinforce existing marginalization or exclusion;

(g) Provide timely and comprehensive information to internally displaced persons about options for participation and time frames proposed and their options to engage in participation processes;

(h) Provide information and ensure the participation of internally displaced persons outside of camps, including through information campaigns, telephone hotlines and social media, and community-based consultations;

(i) Support the work and build the capacity of civil society organizations to undertake activities with internally displaced persons and displacement-affected communities aimed at increasing their ability to participate effectively;

(j) Establish dedicated community liaison teams to respond to requests, concerns and complaints and build consistent, long-term and systematic engagement with displacement-affected communities;

(k) Establish and/or enhance the capacity of national statistical and research organizations to undertake statistical and social surveys and profiling of internally displaced persons;

(l) Enhance and support the role of independent national human rights institutions in initiating, encouraging and supporting participatory processes and complaints mechanisms for internally displaced persons;

(m) Consistently include the participation of internally displaced persons in relevant national forums and consultations where their voices and experiences can help to inform policymaking.

87. The Special Rapporteur recommends that international humanitarian and development partners and the international donor community:

(a) Support and adequately fund programmes that include participatory processes consistently from the earliest stages of displacement;

(b) Coordinate approaches based on common standards to enhance community engagement and the participation of internally displaced persons, including the most vulnerable;

(c) Develop internal capacity and deploy dedicated staff to field operations, specialized in participatory methodologies, to lead and facilitate the participatory process;

(d) Provide technical assistance and training to national authorities, national human rights institutions and civil society partners to build their capacity to conduct and sustain participation processes;

(e) Allow flexibility in programme and funding priorities to take into account and respond to the outcomes of participatory processes;

(f) Strengthen local dialogue to support community feedback for programming and project implementation;

(g) Ensure that humanitarian response plans and the strategic monitoring of the plans incorporate participatory approaches and demonstrate analysis and consideration of inputs from affected communities;

(h) Strengthen the cooperation and collaboration of humanitarian and development partners, including in the field of participatory processes, through different phases of displacement;

(i) Improve the participation of internally displaced persons in relevant regional and international forums and consultations where their voices and experiences can help to inform international policymaking.